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Counsel for Direct Purchaser Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE CAPACITORS ANTITRUST LITIGATION

Master File No. 3:17-md-02801-JD
Case No. 3:14-cv-03264-JD

THIS DOCUMENT RELATES TO:
THE DIRECT PURCHASER CLASS ACTIONS

**DIRECT PURCHASER CLASS'S
OPPOSITION TO NCC'S MOTION TO (I)
ALLOW UCHIYAMA TO TESTIFY
SUBSTANTIVELY AND (II) PRECLUDE
EVIDENCE OF HIS PRIOR FIFTH
AMENDMENT INVOCATION**

Date: tbd
Time: tbd
Judge: Honorable James Donato
Courtroom: 11, 19th Floor

Master File No. 3:17-md-02801-JD
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DPC'S OPPOSITION TO NCC'S MOTION TO ALLOW UCHIYAMA TO (I) TESTIFY SUBSTANTIVELY AND
(II) PRECLUDE EVIDENCE OF HIS PRIOR FIFTH AMENDMENT INVOCATION

1 The trial of this matter begins on March 2, 2020. NCC's motion comes far too late. The Court's
 2 prior order allowing revocations of fifth amendment invocations was entered on January 15, 2020.
 3 Since then, the undersigned has spent eight days in depositions of revokers, with two more days of
 4 depositions this week. NCC could have brought this motion a long time ago. When NCC first raised
 5 this issue, it was immediately told that the Class did not agree and that NCC would have to seek an
 6 order for this relief. Why NCC chose to wait until now is known only by NCC, but it is too late now to
 7 slot in more depositions of fifth amendment invokers/revokers. Federal Rule of Civil Procedure 1;
 8 Federal Rule of Civil Procedure 16.

9 Dated: February 25, 2020

Respectfully Submitted,

JOSEPH SAVERI LAW FIRM, INC.

By: /s/ Steven N. Williams
 Steven N. Williams

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